

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
	)	
Review of Part 15 and other Parts	)	ET Docket No. 01-278
of the Commission’s Rules	)	RM-9375
	)	RM-10051
	)	

**COMMENTS OF THE CONSUMER ELECTRONICS ASSOCIATION**

The Consumer Electronics Association (“CEA”), by its attorneys and pursuant to Section 1.415 of the Commission’s Rules, 47 C.F.R. § 1.415, hereby respectfully submits its comments in response to the Commission’s Notice of Proposed Rulemaking (“*NPRM*”) in the above-captioned proceeding.<sup>1</sup>

CEA generally supports the rule modifications proposed by the Commission in the *NPRM*. Further, CEA lauds the Commission’s efforts to review and update its rules to accommodate new and innovative equipment, maximize efficiency while protecting users from harmful interference, and reduce the regulatory burdens on manufacturers. While CEA largely supports the regulatory changes that the Commission proposes in the *NPRM*, CEA does, however, take this opportunity to provide input to the Commission on several of the specific proposals, as discussed in more detail below. The following comments represent the views of CEA’s member companies. Individual members, however, may hold different views on a number of issues raised herein.

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<sup>1</sup> See *In the Matter of Review of Part 15 and other Parts of the Commission’s Rules*, Notice of Proposed Rule Making and Order, ET Docket No. 01-278, RM-9375, RM-10051, FC 01-290 (rel. Oct. 15, 2001)(“*Part 15 NPRM*”).

## **I. DATA TRANSMISSION BY REMOTE CONTROL DEVICES**

In the *NPRM*, the Commission sought comment on a proposal to modify Part 15.231 of the rules to allow 40 MHz and 70 MHz and above remote control devices to transmit identification codes supplemented with the transmission of minimal additional data.<sup>2</sup> The Commission also sought comment on a proposal to remove the current Part 15.231 (a) prohibition on voice and video transmissions.<sup>3</sup>

CEA applauds the Commission's proposals to loosen the current restrictions on remote control devices. Manufacturers, in their design efforts, have found that the Commission's current definition of the duty factor (the percentage of time during use when the device is transmitting) for remote control devices creates an unnecessary hardship for some products. Relaxation of the current restrictions is likely to promote more uniform compliance with a realistic remote control duty factor requirement.

CEA believes that the Commission should consider modifying the timing requirements currently in place to extend the applicable duty factor averaging period. Presently, in order to emit at the maximum allowable power, one may not transmit more than ten milliseconds in any 100 millisecond interval. With many technologies, this is simply not enough time to successfully complete a threshold setup, bit synchronization, and transmitter identification, much less to transmit data. Therefore, we request that the Commission modify the rules to extend the duty factor averaging period to one second (*i.e.*, 100 ms in any one second interval). This proposed change would benefit manufacturers and facilitate the proliferation of new and innovative applications.

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<sup>2</sup> See *NPRM* ¶¶ 17-18.

<sup>3</sup> *Id.*

## II. RADIO FREQUENCY IDENTIFICATION SYSTEMS

In its *NPRM*, the Commission sought comment on the National Council for Information Technology Standardization Technical Committee B10 (“NCITS B10”) request to modify Part 15.225 to harmonize radio frequency identification (“RFID”) system rules with the European and Australian standards.<sup>4</sup>

CEA supports NCITS B10’s proposal as being in the best interests of the nation’s RFID industry. The proposed changes will allow for greater RFID system range, which, in turn, will enable many new and innovative applications. The proposed rule change, by harmonizing U.S. regulations in the 13.56 MHz band with those of many other nations, will enable applications that may require international acceptance, such as those involving travel and shipping. The proposed rule change will also benefit U.S. manufacturers of RFID equipment by allowing a single product to be used in many markets, thus lowering development costs.

Implementation of the proposal may also foster widespread consumer adaptation to many of the new requirements for homeland security via applications such as more accurate parcel tracking and tracing, Positive Passenger Bag Matching (“PPBM”), and electronic travel documents (*e.g.*, passports and visas). Other potential consumer benefits from the proposed rule change include increased availability of contact smartcards for consumer financial transactions and electronic ticketing for travel. Business benefits include supply chain and inventory management and work-in-progress tracking in manufacturing environments. These examples clearly illustrate how the expanded use of

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<sup>4</sup> See *NPRM* ¶¶ 19-24. See also 47 C.F.R. § 15.225.

RFID technology can positively impact the national economy and be used as a tool for the Homeland Security initiative.

### **III. LABELING REQUIREMENTS FOR DECLARATION OF CONFORMITY EQUIPMENT**

In the *NPRM*, the Commission sought comment on proposed modifications to the current Part 15.19 labeling requirements for manufacturer self-authorized Declaration of Conformity (“DoC”) equipment.<sup>5</sup> Specifically, the Commission proposed to eliminate the requirements that DoC labels contain “For Home or Office Use” phraseology and statements that the complete device was tested for compliance.<sup>6</sup>

CEA members support the proposed revisions to the DoC label, largely due to the belief that the current labeling requirements are unnecessary on Class B devices that can be operated in any environment. Furthermore, manufacturers are finding that complying with the current labeling requirements is increasingly burdensome as technological advancements result in smaller equipment. As a direct result of such technological advancement, manufacturers are finding it progressively more difficult to place large labels on small equipment. The Commission’s proposed revisions will enable manufacturers to create smaller DoC labels. Smaller labels are preferred, especially given today’s smaller products.

CEA, however, asks that the Commission provide manufacturers with sufficient lead-time for planning and implementing any revised DoC labeling requirements that may require changes in labeling procedures or materials, such as the proposals for electronic labeling. Manufacturers are concerned about whether they will have sufficient

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<sup>5</sup> See *NPRM* ¶¶ 28-31. See also 47 C.F.R. § 15.19.

<sup>6</sup> See *NPRM* ¶¶ 30-31.

lead-time to implement any new requirements and that such requirements not present any inordinate rise in labeling costs. Further, factors such as existing inventory labeling and label procurement planning may affect manufacturers' ability to comply with new Commission requirements in an economical or timely manner.

#### **IV. TEST PROCEDURES FOR UNLICENSED PCS EQUIPMENT**

In the *NPRM*, the Commission sought comment on a proposal to incorporate by reference the ANSI C63.17-1988 standard for unlicensed Personal Communications Services ("PCS") equipment monitoring into Part 15.31 of the Commission's rules.<sup>7</sup>

CEA supports Commission adoption of the measurement procedures specified in the recently completed work of ANSI C63 for unlicensed PCS equipment. These procedures will help ensure that unlicensed PCS equipment complies with current Commission rules that facilitate compatibility via a spectrum etiquette that requires monitoring of the spectrum before transmitting and the use of a specific transmission format.

#### **V. FORMAT OF INFORMATION PROVIDED TO THE USER**

In the *NPRM*, the Commission sought comment on a proposal that would allow manufacturers to provide required user instruction manual information in whatever form the manual is supplied (*i.e.*, paper, diskette, CD-ROM, or over the Internet).<sup>8</sup> The Commission sought comment specifically on potential accessibility problems related to

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<sup>7</sup> See *NPRM* ¶¶ 32-33. See also 47 C.F.R. § 15.31.

<sup>8</sup> See *NPRM* ¶¶ 35-36.

Internet-only instruction manuals and the potential for consumers to miss manufacturer warning information provided exclusively on the Internet.<sup>9</sup>

CEA generally supports the Commission's proposal to allow flexibility for manufacturers to provide information to users via paper, computer disk, CD-ROM, or over the Internet. We believe, however, that the Commission should retain a requirement that some user information must be supplied in hard copy form (either exclusively or in addition to any other format used). Specifically, user warning information pertaining to safety aspects of equipment should not be eliminated from hard copy form.

## **VI. ACCREDITATION OF TEST LABORATORIES**

In the *NPRM*, the Commission sought comment on reducing Part 2.948 information reporting requirements regarding facility descriptions and lab information.<sup>10</sup> The Commission also sought comment on a proposal to recognize the accreditation of non-U.S. test laboratories that: (1) have been accredited by an organization whose accreditations are recognized by the Commission, or (2) have been designated by a foreign authority and recognized by the Commission under a government-to-government Mutual Recognition Agreement or Arrangement.<sup>11</sup>

CEA supports the reduced reporting requirements for accredited laboratories proposed by the Commission. Since such laboratories are accredited by recognized organizations that determine competency in accordance with international standards, it is unnecessary and repetitive for similar information to be filed with the Commission as the

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<sup>9</sup> *Id.*

<sup>10</sup> *See NPRM* ¶ 40.

<sup>11</sup> *Id.*

rules currently require. CEA also supports the Commission's proposal to expand the accreditation of foreign test laboratories.

## **VII. ADDITIONAL PROPOSALS**

In the *NPRM*, the Commission made several miscellaneous proposals to modify certain aspects of Parts 2, 15, and 18 of the rules.<sup>12</sup> In general, CEA supports all of the changes that the Commission has identified. We believe that such changes will appropriately update and streamline many minor provisions contained in the current rules.

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<sup>12</sup> See *NPRM* ¶ 41.

## VIII. CONCLUSION

For the foregoing reasons, CEA generally supports the Commission's proposals to modify Part 15 of its rules and requests that the Commission take appropriate and timely action to implement its proposals.

Respectfully submitted,

**CONSUMER ELECTRONICS ASSOCIATION**

By: /s/ Michael Petricone

Michael Petricone  
Vice President  
Technology Policy

*Of Counsel:*

David A. Nall  
Angela M. Simpson  
Squire, Sanders & Dempsey L.L.P.  
1201 Pennsylvania Avenue, N.W.  
P.O. Box 407  
Washington, D.C. 20044-0407  
(202) 626-6600

Gary S. Klein  
Vice President  
Government and Legal Affairs

Ralph Justus  
Vice President  
Technology and Standards

2500 Wilson Boulevard  
Arlington, VA 22201  
(703) 907-7600

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